

### **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application.

1. (Currently Amended) A method comprising the steps of:  
at a subscriber:  
transmitting data on a data channel;  
during the step of transmitting, tracking a number of collisions on the data channel until the number of collisions reaches a threshold value indicating that the subscriber is unable to acquire sufficient bandwidth on the data channel due to collisions with other transmitting subscribers on the data channel; and  
when the number of collisions reaches the threshold value thereby indicating that the data channel is fully utilized, transmitting a reassignment request to move to a new data channel.
2. (Original) The method of claim 1 wherein the reassignment request is transmitted to a central processor.
3. (Original) The method of claim 1 wherein the reassignment request is transmitted on a control channel.
4. (Original) The method of claim 1 and further comprising the step of transmitting any remaining data on the new data channel upon receipt of a reassignment grant.
5. (Original) The method of claim 1 wherein the threshold value is known a priori.
6. (Original) The method of claim 1 wherein the threshold value is user configurable.

7. (Currently Amended) A method comprising the steps of:  
receiving a reassignment request from a subscriber to move from a first data channel; and  
upon receipt of the reassignment request by a central processor, assuming that the first data channel is loaded and the subscriber is unable to acquire sufficient bandwidth on the first data channel.
8. (Original) The method of claim 7 and further comprising the steps of:  
comparing an incoming data rate to a value, wherein the incoming data rate is measured by the central processor at the time the subscriber requested reassignment; and  
if the incoming data rate is significantly lower than the value, determining that the first data channel is not loaded.
9. (Original) The method of claim 8 wherein the value is predetermined.
10. (Original) The method of claim 8 wherein the value is an average of previously received incoming data rates at which other subscribers have requested reassignment from the first channel.
11. (Original) The method of claim 10 and further comprising the step of, if the incoming data rate is significantly lower than the value, disregarding the incoming data rate at which the reassignment request was received.
12. (Original) The method of claim 7 and further comprising the steps of:  
comparing an incoming data rate to a value, wherein the incoming data rate is measured by the central processor at the time the subscriber requested reassignment; and  
if the incoming data rate is not significantly lower than the value, determining that the first data channel is loaded.
13. (Original) The method of claim 12 wherein the value is predetermined.

14. (Original) The method of claim 12 wherein the value is an average of previously received incoming data rates at which other subscribers have requested reassignment from the first channel.
15. (Original) The method of claim 7 and further comprising the step of reassigning the subscriber to a new data channel.
16. (Original) The method of claim 15 wherein the new data channel is determined not to be loaded.
17. (Original) The method of claim 7 further comprising the step of reassigning the subscriber to the first data channel.
18. (Original) The method of claim 7 and further comprising the step of sending a busy signal to the subscriber when all data channels are determined to be loaded.
19. (New) The method of claim 4, further comprising the step of reassigning the subscriber from the new data channel back to the data channel when new bandwidth becomes available on the data channel or when the data channel is the least utilized data channel.
20. (New) The method of claim 17, wherein the step of reassigning the subscriber to the first data channel occurs in response to the availability of new bandwidth on the first data channel or when the first data channel is the least utilized data channel.